

For Office Use Only
 Executive Office of Environmental Affairs
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NPC

Notice of Project Change

The information requested on this form must be completed to begin MEPA Review of a NPC in accordance with the provisions of the Massachusetts Environmental Policy Act and its implementing regulations (see 301 CMR 11.10(1)).

Project Name: The Residences at Lower Mills		EOEA #: 12887	
Street: 2 Adams Street			
Municipality: Milton		Watershed: Neponset River	
Universal Transverse Mercator Coordinates:		Latitude: 42.27051 N Longitude: 71.06734 W	
Status of project construction: 90 %complete			
Proponent: STF Enterprises, Inc. on behalf of Extra Space Development, LLC			
Street: 369 Court Street			
Municipality: Brockton		State: MA	Zip Code: 02302
Name of Contact Person From Whom Copies of this NPC May Be Obtained: Edward J. Corcoran, Esq.			
Firm/Agency: Corcoran & Associates, P.C.		Street: 1266 Furnace Brook Parkway	
Municipality: Quincy		State: MA	Zip Code: 02169
Phone: 617-770-2710	Fax: 617-770-2764	E-mail: Ned@CorcoranPC.com	

In 25 words or less, what is the project change? **The project change involves the development of a mix of residential (19 condominiums) and commercial units (restaurant/retail) in a combination of a new 5-story building abutting Adams Street and fully restored historic mill buildings that are founded within the Neponset River (within both private flowed tidelands and the Neponset River Estuary ACEC).**

See full project change description beginning attached.

Date of ENF filing or publication in the Environmental Monitor: October 9, 2002

Was an EIR required? Yes No; if yes,
 was a Draft EIR filed? Yes (Date:) No
 was a Final EIR filed? Yes (Date:) No
 was a Single EIR filed? Yes (Date:) No
 Have other NPCs been filed? Yes (Date(s):) No

If this is a NPC solely for lapse of time (see 301 CMR 11.10(2)) proceed directly to "ATTACHMENTS & SIGNATURES" on page 4.

PERMITS / FINANCIAL ASSISTANCE / LAND TRANSFER

List or describe all new or modified state permits, financial assistance, or land transfers not previously reviewed: **(a) Chapter 91 License from the Department of Environmental Protection; (b) Finding of No Adverse Impact from Massachusetts Historical Commission**

Are you requesting a finding that this project change is insignificant? (see 301 CMR 11.10(6))
 Yes No; if yes, attach justification.

Are you requesting that a Scope in a previously issued Certificate be rescinded?
 Yes No; if yes, attach the Certificate

Are you requesting a change to a Scope in a previously issued Certificate? Yes No; if yes, attach Certificate and describe the change you are requesting:

Summary of Project Size & Environmental Impacts	Previously reviewed	Net Change	Currently Proposed
LAND			
Total site acreage	4.6 acres	N/A	
Acres of land altered	N/A	0.08 acres	0.08 acres
Acres of impervious area	2.02	-0.12	1.9
Square feet of bordering vegetated wetlands alteration	N/A	N/A	N/A
Square feet of other wetland alteration	N/A	N/A	N/A
Acres of non-water dependent use of tidelands or waterways	<0.1	0	<0.1
STRUCTURES			
Gross square footage	36,877	34,518	71,395
Number of housing units	1	19	20
Maximum height (in feet)	50 +/-	15 +/-	65
TRANSPORTATION			
Vehicle trips per day	78	299	377
Parking spaces	73	0	73
WATER/WASTEWATER			
Gallons/day (GPD) of water use	200	10,288	10,488
GPD water withdrawal	200	10,288	10,488
GPD wastewater generation/ treatment	N/A	N/A	N/A
Length of water/sewer mains (in miles)	N/A	N/A	N/A

Does the project change involve any new or modified:

1. conversion of public parkland or other Article 97 public natural resources to any purpose not in accordance with Article 97? Yes No. **However, a substantial portion of the overall site, approximately one-half acre, will become subject to a new conservation restriction to be created by the owner. The area to be covered by the restriction is a large rocky knoll outcropping that is of substantial environmental value. In addition, the project will develop a new small park which will be conveyed by easement to the Department of Conservation and Recreation and be incorporated into the multi-use path that forms the southerly boundary of the site.**

2. release of any conservation restriction, preservation restriction, agricultural preservation restriction, or watershed preservation restriction? Yes No

3. impacts on Estimated Habitat of Rare Species, Vernal Pools, Priority Sites of Rare Species, or Exemplary Natural Communities? Yes No

4. impact on any structure, site or district listed in the State Register of Historic Place or the inventory of Historic and Archaeological Assets of the Commonwealth?

Yes No; if yes, does the project involve any demolition or destruction of any listed or inventoried historic or archaeological resources? Yes No **The project proposes the construction of window dormers in the attic of the old wood mill building in order to enable the attic to become habitable as the top floor of the two upper town house units. (A Project Notification Form was filed with the Massachusetts Historical Commission on September 6, 2006.)**

5. impact upon an Area of Critical Environmental Concern? Yes No
If you answered 'Yes' to any of these 5 questions, explain below:

The two old mill buildings that are proposed to be rehabilitated and converted to condominium use are located within the Neponset River Estuary ACEC. Portions of their foundations lie within the river itself and the river flows under each building through sluice ways within their foundations. The project will restore these two valuable historic buildings, which have been vacant for years, and prevent their further decay. The project will also enhance water quality and protect a smelt/herring spawning area immediately adjacent to the Ware Mill building by reducing impervious surface, improving overall site drainage and by the removal of invasive species above the spawning area.

PROJECT CHANGE DESCRIPTION (attach additional pages as necessary). The project change description should include:

- (a) a brief description of the project as most recently reviewed
- (b) a description of material changes to the project as previously reviewed,
- (c) the significance of the proposed changes, with specific reference to the factors listed 301 CMR 11.10(6), and
- (d) measures that the project is taking to avoid damage to the environment or to minimize and mitigate unavoidable environmental impacts. If the change will involve modification of any previously issued Section 61 Finding, include a proposed modification of the Section 61 Finding (or it will be required in a Supplemental EIR).

Please see Project Change Description attached.

**The Residences at Lower Mills
2 Adams Street, Milton, Massachusetts
Notice of Project Change – EOE A No. 12887**

PROJECT CHANGE DESCRIPTION

(a) The Project as Previously Reviewed

The property is an approximately 4.6 acre lot that is bounded by Adams Street to the west, the Neponset River to the north and east and the Lower Neponset River Trail, a multi-purpose path owned by the Massachusetts Department of Conservation and Recreation (DCR) to the south. Its topography is irregular with a large mass of ledge in the middle of the site that extends approximately 180 feet along the river. This ledge knoll is more than 50 feet above the river. The main site entrance is on Adams Street at a point that is approximately 60 feet south of the Adams Street Bridge.

The property includes four buildings that are listed on the National Register of Historic Places within the Dorchester/Milton Lower Mills Industrial District. They are the two large storage buildings identified on the attached plan as Buildings "A" and "B" and two old mill buildings identified as Buildings "C" and "D". The two mill buildings are founded partially within private flowed tidelands of the Neponset River and are within the Neponset River Estuary Area of Critical Environmental Concern (ACEC).

The project, as originally reviewed, provided for interior improvements and a connector addition to Buildings "A" and "B". The connector addition is referred to on the attached plan as Building "E". The project also included the development of a single residential unit attached to Building "A", 73 parking spaces and improvements to site drainage. The original project is under construction and will be complete in late 2006.

(b) Description of Material Changes to the Project as Previously Reviewed

There are no material changes to the project as previously reviewed. This project (the "Project"), however, introduces substantial new project elements, including a new 5-story building and the rehabilitation and conversion of the two vacant mill buildings. The Project will add 19 residential units, a restaurant and three other minor commercial spaces within a combination of the new 5-story building (identified as Building "F") and two fully renovated and restored historic mill buildings (Buildings "C" and "D"). The Project responds to the adoption of a Planned Unit Development overlay zoning district by the Town of Milton in 2001. The new zoning encourages mixed-use development within the Central Avenue/Milton Village Business District pursuant to a special permit process administered by the Planning Board. The proponent expects to file its application for a special permit in November 2006.

The new building will be L-shaped and be constructed so that it fronts directly onto Adams Street to the south of the main site entrance, above a portion of the parking lot that now abuts the retaining wall for Adams Street itself. It will be five stories tall above

the grade of Adams Street and will contain approximately 34,518 square feet of habitable space. There will also be two levels of parking below the grade of Adams Street, containing an additional 14,000 square feet. The first floor will contain a restaurant with up to 125 seats and three smaller retail shops. The building will also contain 12 townhouse units, with six units each on the second and third floors and the fourth and fifth floors. The units will be sold at a combination of market rate and affordable prices.

The Project also proposes to renovate and restore the two historic mill buildings by converting them to seven condominium units. The Ware Mill (Building "C") will be converted into three units, with two townhouses built side by side on the first two floors and a third floor penthouse. The older wood mill building (Building "D") will be converted to four townhouse units, with two each on the first and second floor and the third and fourth floor. The Project will also re-deck the footbridge that crosses the river between the two mills and proposes to build a new deck over an open portion of the concrete sluiceway that runs between the footbridge and Building "D". The decks will be open to the public from dawn to dusk for fishing and viewing of the river.

(c) Significance of the Proposed Changes

The proposed changes are significant for the following reasons:

(i) The Project requires a Chapter 91 License (301 CMR 11.03(3)(b)(5)). The Project seeks to convert the two old mill buildings into seven (7) condominium units. The Ware Mill was originally constructed in 1902 pursuant to a license granted under Chapter 91 (License No. 2594). The unnamed wood building was built prior to the start of the Chapter 91 license program, perhaps as long ago as 1728. Both buildings are partially founded in flowed tidelands of the Neponset River and are located within the Neponset River Area of Critical Environmental Concern (ACEC). A variance from three standards articulated in the provisions of the Chapter 91 Regulations (310 CMR 9.00) is required as follows:

- The performance standard prohibiting "nonwater-dependent facilities of private tenancy on pile-supported structures on flowed tidelands" (see 310 CMR 9.51);
- The categorical restriction on private, pile-supported nonwater-dependent structures below the high water mark (see 310 CMR 9.32(1)(a)(4); and
- The categorical restriction on private structures below the high water mark within an ACEC (see 310 CMR 9.32(1)(e)).

(ii) The Project also requires a finding of either No Impact or No Adverse Impact from the Massachusetts Historical Commission (301 CMR 11.03(10)(b)). The two old mill buildings are included in the National Register of Historic Places within the Dorchester/Milton Lower Mills Industrial District Historic District. The Project proposes to modify the roof line of the older wooden mill building with the introduction of window dormers to accommodate the buildout of the attic space for the top floor of the top two townhouse units. The exterior of the Ware Mill building will not be modified. The

habitability of the top floor of the wood building is critical to the economic viability of the project and the ability of the project to assure the mill's full rehabilitation.

(d) Measures Proposed to Mitigate the Environmental Impacts

The Project is taking the following measures to minimize and mitigate the environmental impacts identified in (c):

(i) Of primary importance is the substantial restoration of two historic buildings and an historic footbridge within an historic district and within the ACEC. Indeed, the protection of these historic resources is an important goal of the ACEC Management Plan. These structures have been vacant for years and their condition will continue to deteriorate without an economically feasible reuse plan in place. Efforts to market the two buildings for commercial use have failed; their conversion to condominiums will assure their restoration and the longer term maintenance and preservation.

(ii) The Project will enhance public accommodation to the waterfront. Recognizing that public accommodation cannot be feasibly provided within the two mill buildings, viewing and fishing areas will be developed at three locations on the river. These include (a) a viewing area between the site entrance and the Ware Mill overlooking a smelt and herring spawning ground, with the removal of invasive species within the retaining wall (already planned as part of the original project); (b) the restoration and re-decking of the old footbridge to the midpoint of the river and the construction of a new deck over the concrete sluiceway between the footbridge and the wooden mill building for viewing and fishing; and (c) development of a small park at the easterly end of the site to provide viewing and fishing at that location. The park will also be made directly accessible to the multi-use path and an easement for that purpose will be granted to DCR.

(iii) The Project will place a conservation restriction on approximately six tenths of an acre of environmentally sensitive land and bird habitat. The conservation restriction will protect the large rocky knoll outcropping that overlooks the river in the central portion of the property from future development.

(iv) The Project will provide dawn-to-dusk access to the multi-use path from Adams Street through the parking lot of the site. This will provide direct access to the path for residents of the Lower Mills area and for emergency vehicles.

(v) The Project will provide enhancements to water quality and protect an anadromous fish spawning area by removing impervious surfaces and invasive plant species abutting the river and re-grading the area so that stormwater drains into the new treatment system installed pursuant to the original project. In addition, restoration of the two mill buildings and the footbridge will also serve to protect water quality by protecting them from further deterioration and potential collapse into the river.

(vi) Finally, the Project responds to the sustainable development principles identified in the Commonwealth's Smart Growth Initiative, by providing affordable and market rate housing at a location that is immediately adjacent to MBTA bus and trolley lines.

(e) Evaluation of Alternatives

The two old mill buildings have been vacant for years. The owner has attempted to market them for commercial reuse, including restaurant reuse, with no success. As a result of a combination of issues, including their age, physical condition, internal layout and lack of visibility from Adams Street, the owner has been unable to attract feasible commercial reuses. The alternatives are to leave them vacant and allow further deterioration or convert to them residential use.

The No Redevelopment alternative will have significant long-term effects on these important historic resources as well as on the Neponset River, itself. The two mill buildings will continue to deteriorate with a future risk of collapse into the river and an obvious effect on water quality, as well as the loss of two important historic resources. In addition, the public will lose the opportunity to secure two new points of access to the water (the viewing area between the site entrance and the Ware Mill will be provided as part of the original project).

The Build Alternative eliminates these impacts. Of major significance, the Project will restore and preserve two important historic assets located within the ACEC. In addition, and in accordance with the Secretary's prior recommendations, the pavement in the area between Adams Street and the Ware Mill, and the invasive species that has grown in the retaining wall, will be removed and replaced with a landscaped viewing area. This area will also be regraded so that stormwater will drain away from the river and into the newly constructed stormwater system to be treated before being discharged into the river.

The major "impact" will be loss of public accommodation within the mill buildings themselves. However, public accommodation does not presently exist because neither building is occupied and, based on the lack of feasible interest to date, such accommodation is unlikely to exist in the future. On the other hand, public access will be enhanced by development of two additional areas on the site: (a) the re-decking of the foot bridge that crosses the river between the two buildings and construction of a new deck over the concrete sluiceway between the footbridge and the wooden mill building (the footbridge and the new deck will be open to the public for viewing and fishing from dawn to dusk); and (b) a new park to be built and connected to the multipurpose path at the easterly end of the site and which will provide an additional location for recreational fishing. The new park will be developed by the owner and an easement will be granted to DCR.

The Project will also provide dawn-to-dusk direct access, including emergency vehicle access, from Adams Street through the parking lot to the multipurpose path that forms the southerly boundary of the site. The Project will also place a perpetual conservation

restriction over the rocky ledge knoll in the north central area of the site. The restriction will cover a portion of the site that is approximately six tenths of an acre in area and will preserve a valuable environmental resource and bird habitat from future development. Finally, the Project will also include interpretive signage, including signage detailing the spawning habits of anadromous fish, and signs that will interpret the history of the old mill and storage buildings on the site.

This combination of mitigation will achieve several important goals of the ACEC Resource Management Plan by: (a) ensuring protection of historic resources within the ACEC, itself; (b) improving water quality, (c) protecting anadromous fish habitat and breeding grounds; and (d) the addition of public lands for viewing and recreational fishing.

(f) Other Benefits

Finally, the Project meets several of the sustainable development principles identified in the Commonwealth's Smart Growth Initiative, as follows: (a) this is a redevelopment of an underutilized industrial site; (b) it concentrates the development into a compact area and fits within the context of mixed use redevelopment in the Milton/Dorchester Lower Mills area; (c) it will restore and enhance the environment by further improving stormwater management and water quality within the Neponset River; (d) it will expand housing opportunities by adding 19 new housing units, including affordable units; and (e) it provides transportation choice by locating residential development at a site that is directly adjacent to both a DCR bike path and to MBTA trolley and bus lines.